

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

D. The commissioner may hold title to real or personal property for the purpose of foreclosure on filed liens. Foreclosure must proceed as follows.

(1) Actions to foreclose liens on real property filed under this subsection may be brought in the county where the lien is filed pursuant to the procedures of Title 14, chapter 713, subchapter VI. For purposes of foreclosure by civil action as described in Title 14, chapter 713, subchapter VI, a lien filed in accordance with this subsection constitutes a mortgage claim of the department on any real property owned by the debtor. Failure to pay the debt owed the department constitutes a breach of condition in the mortgage.

(2) Actions to foreclose liens on personal property filed under this subsection may be brought, pursuant to Title 14, chapter 509, subchapter III, in the county where the lien is filed.

7. Other collection actions. In addition to the other remedies provided in this section, the department may seek collection of any debt established under subsection 2 pursuant to Title 14, chapter 502.

8. Rulemaking. The department may adopt or amend any rule as necessary to implement this section.

Sec. 5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	(\$200,000)	(\$200,000)
Provides for the deappropriation of funds from the anticipated collection of unpaid debts owed to the department from health care providers.		

Sec. 6. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1991-92	1992-93
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$200,000	\$200,000
Provides for the allocation of funds received from collection of unpaid debts owed to the department from health care providers.		

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 14, 1991.

CHAPTER 569

S.P. 274 - L.D. 733

An Act Relating to the Definition of Gross Sexual Assault under the Maine Criminal Code

Be it enacted by the People of the State of Maine as follows:

17-A MRSA §253, sub-§5, as repealed and replaced by PL 1989, c. 401, Pt. A, §4, is amended to read:

5. Violation of subsection 2, paragraph A, B, C, D, E or H is a Class B crime. Violation of subsection 2, paragraph D, F, G or I is a Class C crime.

See title page for effective date.

CHAPTER 570

S.P. 554 - L.D. 1458

An Act Relating to Court Security Personnel

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation is necessary in order to clarify the responsibility for providing and paying for the security of the courts and the safety of the public with regard to prisoners; and

Whereas, Androscoggin County has not entered into an agreement with the Judicial Department for court security services pursuant to the provisions of Public Law 1989, chapter 722, section 1; and

Whereas, a transfer of court officers from county to state employment provides the most effective means of controlling court security costs in Androscoggin County; and

Whereas, a transfer of available funds and an increase in the Judicial Department position count are necessary to carry out the purposes of this Act; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legisla-